

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
MEDFORD DIVISION

LOUIS PETRONE,

No. 1:11-cv-484-CL

Plaintiff,

v.

COMMISSIONER, Social  
Security Administration,

ORDER

Defendant.

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**PANNER, District Judge:**

Magistrate Judge Mark D. Clarke filed Findings and Recommendation, and the matter is now before this court. See 28 U.S.C. § 636(b)(1)(B), Fed. R. Civ. P. 72(b). Although no objections have been filed, this court reviews legal principles *de novo*. See Lorin Corp. v Goto & Co., Ltd., 700 F.2d 1202, 1206 (8th Cir. 1983).

I agree with Magistrate Judge Clarke that plaintiff's attorney is entitled to the requested fees under 42 U.S.C. § 406(b). Accordingly, I ADOPT the Report and Recommendation of Magistrate Judge Clarke.

**CONCLUSION**

Magistrate Judge Clarke's Report and Recommendation (#30) is adopted. Plaintiff's unopposed motion for attorney's fees under 42 U.S.C. § 406(b) (#27) is granted. Counsel is awarded \$3,253.00 in fees under § 406(b) and shall refund to plaintiff \$1,557.75 in EAJA fees previously awarded.

IT IS SO ORDERED.

DATED this 19 day of June, 2014.



OWEN M. PANNER  
U.S. DISTRICT JUDGE